

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>4-6-06</u>		2 Serial/Patent # <u>09/031,087</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
<input checked="" type="checkbox"/>	Extension of Time	<i>w/fee</i>	<i>12-29-05</i>	\$ <i>1,020.</i>							
	Notice of Appeal/Appeal			\$							
	Petition			\$							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
	Other			\$							
7 TOTAL AMOUNT OF REFUND			\$ <i>1,020.</i>								
8 TO BE REFUNDED BY:											
10 REASON:		Treasury Check									
	Overpayment	Credit Deposit A/C #:									
	Duplicate Payment	9 <table border="1" style="display: inline-table; border-collapse: collapse;"><tr><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td><td style="width: 20px; height: 20px;"></td></tr></table>									
<input checked="" type="checkbox"/>	No Fee Due (Explanation):										
<i>Extension of Time filed outside period for reply.</i>											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Andrea Smith</u>		TITLE: <u>Pats. Exmr.</u>									
SIGNATURE: <u><i>ASmith</i></u>		PHONE: <u>571-272-3226</u>									
OFFICE: <u>Off. of Petitions</u>											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED: <u><i>David K. Kohn</i></u>		DATE: <u>4/7/06</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:



Atty. Dkt. No. 054769-2001

IFW PH  
Office  
(refused)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CHIANG et al.  
Title: FLUORESCENCE ENERGY  
TRANSFER BY  
COMPETITIVE  
HYBRIDIZATION  
Appl. No.: 09/031,087  
Appl. Filing Date: 2/26/1998  
Examiner: Tung  
Art Unit: 1656

**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

Vanessa E. Agha  
(Printed Name)

Vanessa E. Agha  
(Signature)

December 27, 2005  
(Date of Deposit)

**RECEIVED**

JAN 04 2005

OFFICE OF PETITIONS

**PETITION TO REVIVE AND REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Petition to Revive and a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Enclosed are:

- ☒ [ X ] Petition for Revival of Application for Patent Abandoned Unintentionally under 37 C.F.R. § 1.137(b) (4 pgs.);
- ☒ [ X ] Submission Accompanying a Request for Continued Examination under 37 C.F.R. § 1.114 (13 pgs.);
- ☒ [ X ] Table I (annotated sheet) (1 pg.);
- ☒ [ X ] Table I (replacement sheet) (1 pg.);
- ☒ [ X ] Sequence Listing Paper Copy (2 pgs.);

DLMR\_278980.1

-1-

12/30/2005 MGE BREM1 00000033 500872 09031087  
01 FC:1801 790.00 DA  
02 FC:1253 1020.00 DA  
Adjustment date: 04/07/2006 CKHLOK  
12/30/2005 MGE BREM1 00000033 500872 09031087  
02 FC:1253 1020.00 CR

<input type="checkbox"/>	Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$450.00	\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00	\$1,020.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE SUBTOTAL:			\$1,020.00
EXTENSION FEE ALREADY PAID:			\$0.00
EXTENSION FEE TOTAL			\$1,020.00
CLAIMS AND EXTENSION FEE TOTAL:			\$1,810.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$0.00
<input checked="" type="checkbox"/>	Petition fee to Revive Unintentionally Abandoned Application		\$1500.00
TOTAL FEE:			\$3,310.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$3,310.00. A duplicate copy of this transmittal is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 12/27/2005

By Barry Wilson

FOLEY & LARDNER LLP  
Customer Number: 30542  
Telephone: (858) 847-6722  
Facsimile: (858) 792-6773

Richard Warburg, Reg. No. 32,327  
By Barry S. Wilson, Reg. No. 39,431  
Attorney for Applicant